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OFFICE OF PETITIONS

BIONUMERIK PHARMACEUTICALS, INC. 8122 Datapoint, Suite 1250 San Antonio TX 78229

In re Application of

Frederick H. Hausheer

Application No. 10/002,526

Patent No. 7,176,192

Filed: October 26, 2001

Attorney Docket No. X-0211

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28.

The Office no longer investigates or rejects original or reissue patent under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby ACCEPTED.

This patent is no longer entitled to small entity status. Accordingly, all future fees paid in this patent must be paid at the large entity rate.

Inquiries related to this communication should be directed to the undersigned at (571) 272-2783.

/Tredelle D. Jackson/ Paralegal Specialist Office of Petitions